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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/811,029

03/26/2004

Brian R. Cartmell

9807

7590

12/28/2005

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EXAMINER

PORTIS, SHANTELL L

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/811,029	<b>Applicant(s)</b> CARTMELL, BRIAN R.	
	<b>Examiner</b> Shantell Portis	<b>Art Unit</b> 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: all reference numbers mentioned throughout the specification is missing from the drawings except 2, 4, 6, 10 and 12. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duceck, U.S. Patent No. 6,338,019 in view of Agnew et al. (Agnew), U.S. Patent No. 6,950,745.

Regarding Claim 1, Duceck discloses a method for transmitting information from a sender to a receiver comprising a transmission means for transmitting location related information, and which comprises a first location database wherein location coordinate pairs are assigned to location specifications in a descriptor means in an information reservoir or retrieval means, a receiver means comprising a second location database for receiving location related information, and wherein said second database further comprises location paired information to which the transmitted information relates, and with at least the assistance of the transmitted information pair selecting a location specification in an information reservoir (Col. 4, lines 8-23).

Regarding Claim 8, Duceck discloses a receiver for digitally coded location - related transmissions of information comprising means for transmitting location- related information between a sender which comprises a first location database in which location coordinate pairs and descriptors are assigned to location specifications and the receiver; a second location database comprising location specifications which store

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location coordinate pairs and descriptors; means for transmitting, along with the information to be transmitted, at least a coordinate pair of a location to which the information relates, enabling the selection of a location specification from a location database (Col. 4, lines 45-59).

However, Duceck fails to disclose a method and a receiver for transmitting information in the form of text, sound and/or images.

In a similar field of endeavor, Agnew discloses a navigation system. Agnew further discloses a method and a receiver for transmitting information in the form of text, sound and/or images (Col. 3, lines 1-3; Col. 3, lines 11-15 and Col. 6, lines 13-18).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Duceck according to Agnew to provide various forms of communication between the sender and receiver as is well known in the art (acknowledged in applicant's specification pg. 8, 2<sup>nd</sup> para.).

Regarding Claim 2, the combination of Duceck and Agnew discloses the method according to claim 1 as described above.

The combination fails to disclose further comprising transmitting descriptors, and comparing the descriptors in the respective location database with similar descriptors. However, Duceck does mention further comprising transmitting descriptors, and comparing the descriptors in the respective location database with similar descriptors (Col. 4, lines 29-33). Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide provisions for comparing the descriptors to prevent errors (Duceck, Col. 2, lines 32-42).

Regarding Claim 3, the combination of Duckeck and Agnew discloses the method according to claim 2 as described above.

The combination fails to disclose wherein the transmitted descriptors comprise location related information enabling the recipient to retrieve transmitted text, sound and/or data information. However, Duckeck does mention wherein the transmitted descriptors comprise location related information (street numbers, junction numbers and end points of a street number) enabling the recipient to retrieve transmitted text, sound and/or data information (Col. 4, lines 34-38 and Col. 2, lines 40-42). Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to use the descriptors as a database for receiving, storing and transmitting location information to the recipient. This to allow for the convenience of translating the information into human readable, sound or image form.

Regarding Claim 4, the combination of Duckeck and Agnew discloses the method according to claim 1 as described above.

The combination fails to disclose wherein information is transmitted and received through satellite means. However, Agnew does mention wherein information is transmitted and received through satellite means (Col. 2, lines 38-46 and Col. 3, lines 27-35). Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to allow for a more accurate and faster means for transmitting and receiving information.

Regarding Claim 5, the combination of Duckeck and Agnew discloses the method according to claim 4 as described above.

The combination fails to disclose wherein said information reservoir is the Internet. However, Agnew does mention wherein said information reservoir is the Internet (Col. 9, line 63-Col. 10, line 4). Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to use the internet as a fast way for accessing, retrieving and storing information.

Regarding Claim 6, the combination of Duckeck and Agnew discloses the method according to claim 4 as described above.

The combination fails to disclose wherein said location related information is transmitted in a modulated format and processed in a demodulated format. However, Agnew does mention wherein said location related information is transmitted in a modulated format and processed in a demodulated format (this process is inherent when information is sent by satellite means). Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to inherently change information to a form that is easiest for transmission by means of modulating and demodulating the signal.

Regarding Claim 7, the combination of Duckeck and Agnew discloses the method according to claim 6 as described above.

The combination fails to disclose further wherein said location related information is digitally coded. However, Duckeck does mention wherein said location related information is digitally coded (Col. 1, lines 56-59). Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide for a convenient and low cost method for receiving and transmitting the information.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mannings et al., U.S. Patent No. 6,111,539 discloses a navigation information system.

Walters et al., U.S. Patent No. 6,816,782 discloses an apparatus, systems and methods for navigation data transfer between portable devices.

Walters et al., U.S. Patent No. 6,768,450 discloses a system and method for wirelessly linking a GPS device and a portable electronic device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shantell Portis whose telephone number is 571-272-0886. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Slp *W.P.*

*Eh*  
ERIKA A. GARY  
PRIMARY EXAMINER